

From: Cynthia Goldberg [hgpgig@don.davis.ca.us]
Sent: Thursday, December 04, 2003 1:22 AM
To: adoptionregs@state.gov
Subject: re: docket number State/AR-01/96 :::: Comments on Hague
Importance: High

Emailed on Wednesday, December 3, 2003 to adoptionregs@state.gov re: docket number State/AR-01/96

U.S. Department of State

CA/OCS/PRI

Adoption Regulations Docket

Room SA-29

2201 C Street, NW

Washington, DC 2052

Re: docket number State/AR-01/96

December 3, 2003

To Whom It May Concern:

The following comments regarding the proposed Hague Convention regulations are a composite of concerns of a group of adult international adoptees and adoptive parents of international adoptees (whose children are teens and adults). We are a diverse group, but we are 'experienced' in the area of International Adoption (INA) on a very personal level. Some of us are adoptees in our 20's, 30's, 40's and 50's and some of us are parents of teens, young adults and older adoptees who are now parents themselves. We are also community activists, educators, adoption professionals and a law professor (and adoptive father who has written extensively about children's rights internationally. All of us want to see the International Adoption process improve from where it is today. These new regulations offer some hope for better and more consistent training, accreditation, assessment, placement, transparency of record-keeping, professionalism, support and education for all involved in the process. However we have a number of concerns that we have briefly expressed below. We hope that you will examine our comments and use them to improve on this positive step towards a better process for international adoptions.

Our letter continues in the 14 page attachment labeled Final Hague 12/3/03.

12/5/2003

Hard copies will be mailed on Thursday, December 4, 2003, as instructed.

If this email attachment fails to come through, please notify me as soon as possible,

Thank you,

Cynthia L. Goldberg

Davis, CA 95616

12/5/2003

U.S. Department of State
CA/OCS/PRI
Adoption Regulations Docket
Room SA-29
2201 C Street, NW
Washington, DC 2052

DEC 5 2003

Re: docket number State/AR-01/96

December 3, 2003

To Whom It May Concern:

The following comments regarding the proposed Hague Convention regulations are a composite of concerns of a group of adult international adoptees and adoptive parents of international adoptees (whose children are teens and adults). We are a diverse group, but we are 'experienced' in the area of International Adoption (INA) on a very personal level. Some of us are adoptees in our 20's, 30's, 40's and 50's and some of us are parents of teens, young adults and older adoptees who are now parents themselves. We are also community activists, educators, adoption professionals and a law professor (and adoptive father who has written extensively about children's rights internationally. All of us want to see the International Adoption process improve from where it is today. These new regulations offer some hope for better and more consistent training, accreditation, assessment, placement, transparency of record-keeping, professionalism, support and education for all involved in the process. However we have a number of concerns that we have briefly expressed below. We hope that you will examine our comments and use them to improve on this positive step towards a better process for international adoptions.

1. Growing up internationally and/or transracially adopted has an intense, lifelong effect on both adopted persons and the parents who adopted them. Therefore, INA results in complicated, specialized tasks that adoptive parents need to be prepared for and fulfill if they are to raise psychologically healthy adopted youngsters. It appears to us (today and in the past) that no matter how well trained many adoptive parents are they usually cannot fully understand the impact adoption will have on them and their children. More adequate pre-and post adoption counseling for both the adoptee and the adoptive parents is needed. Race is THE salient issue for these adoptees (in self-reporting) and it is important that the regulations protect their ability to develop healthy, meaningful racial identities. This and other issues impact all family members, adopted and not. Society has rarely understood these issues or even seen adoptive families as 'authentic' families. Prospective adoptive families' competence to know how to address this and to make an adequate plan for their child so that he/she is not raised in racial

isolation is critical to assess-- and is not currently assessed by the vast majority of adoption agencies. . Training must be by those who themselves have had specialized training in this arena. This must be rectified through the regulations that are put into place. A minimum of 20 hours should be mandatory.

2. There is no 'right' to provide adoption. These proposed regulations worry too much about the economic impact on small agencies rather than on the best interests of the children to be placed or on the families that are created through international adoption which is in direct opposition to the basic tenets of what the Hague Convention. INA is not about keeping folks in business (especially without knowing the financials through a very transparent reporting system.) It's about kids and families. Sorry, that's not a balancing act for us, it's not a compromise. It's our priority. There may need to be some sliding scales implemented to make sure costs are not unfairly placed, but the bottom line is that if accreditation makes it unprofitable to run an adoption agency well, then that agency has no right to be in business. Accreditation and the relating regulations will cost money but they are meant to ensure a quality INA process. There is no price tag on that.
3. The regulations seem to focus on keeping INA costs down. To really keep costs down, it is critical to see adoption as a lifelong process, not a single moment in time. One does not stop being an "adoptee". Keeping costs down would happen with better training and education of prospective and new adoptive parents as to the nature of the lifetime issues in adoption, not the few months prior to the adoption. The availability of on-going support services would reduce the costs as it would reduce the crises.
4. Training and supervision for agency staff must increase and improve Both the adult adoptee community and the community of adoptive parents (who have raised transracially and internationally adopted children to maturity) have raised a multitude of complaints about the lack of knowledge agency personnel brought to the task of preparing prospective INA parents. Specific training for agency staff and adjunct/consulting staff is lacking in Social Work and related programs. Training guidelines are needed to ensure competence and skill in this specialized arena.
5. The Federal Government should set and oversee the regulation of INA. A key issue is that the USA's interpretation is to defer to each of the 50 states for key issues in a variety of areas, such as the meaning of the 'best interest of the child'. This creates a states' rights vs. federal government issue which minimizes a key goal of the Hague Convention which is to create consistent standards for improved adoption practices. As INA is a Nation-to-Nation process, it is inappropriate to allow individual states to create their own regulations, procedures, or policies that may create detrimental inconsistencies for the children involved.

6. There appears to be an inconsistency with not having public entities, which we assume means government sponsored adoption agencies, comply with the same credentialing guidelines as private agencies. It would be hypocritical for the US Government to set one set of rules for private agencies and a different set for state or county run adoption agencies. If INA is to benefit from these policies and procedures there is no reason to allow one group of providers to avoid these guidelines.
7. One worrisome 'loophole' is the idea that 'individuals' who don't meet the accreditation guidelines may do homestudies and provide services if they are under the supervision of an accredited organization. There is a possibility that unscrupulous agencies could out-source services to non-credentialed people as a way of not having to meet the standards. Agency staff have not been held accountable for what adjunct staff does allowing for misinformation and failure to provide essential information and services by these 'consultants' leaving families to bear the brunt of an inadequate practice.
8. Transparency, specifically in fiscal matters, is missing. Every adoption service provider must be required to provide clear and detailed information (not in a complex or burdensome way) as to where the money goes. Prospective adoptive parents must be given, in writing, an accounting of what the fees will be and how these revenues are used.
9. There is some confusing information on showing how the cost of providing services for INA is now low and would be low in the future. This avoids the likely additional costs of bringing all agencies up to a more ideal level for adoption services, the meeting of new standards, including accreditation standards that have not previously existed. It seems a bit odd to base the future costs of a new program with more required services on the old costs of an inconsistent and unregulated program.
10. We are surprised that the committee did not already have information on the costs of providing training to pre-adoptive parents. This is a key issue for us. We feel that pre-adoption education and training is seriously missing now and has often been the source of educational, behavioral and emotional problems for international adoptees when they are older that adoptive parents were unprepared for and uninformed about. The yet un-named Accreditation Agency must provide specifics about types and length of training that will be required.
11. Performance based standards are an excellent idea. Those are tougher to circumvent.

12. Who is doing the ultimate oversight in the USA? Who will handle the Complaint Registry. Will it have any teeth to impact change? Will it be able to take away accreditation of staff or organizations that fail to meet the new standards? At present we hear often about various types of corruption in INA both on the sending and receiving end of INA. Much is being discovered when adoptees begin birthsearching in their respective countries. PAP'S and adoptive parents complain about certain individuals and, still, we see the same individuals and agencies facilitating adoptions. This is of great concern to all of us and we feel that there must be ONE specific Complaint Registry that processes all of these complaints to resolution. This is of the utmost importance to all of us. Agencies must be expected to provide this Complaint Registry upfront to PAP's, adoptive parents, and adult adoptees. We want to see dishonesty, corruption and trafficking OUT of ICA. It is the children who ultimately suffer when this occurs, often for a lifetime.
13. One of the six service areas covered by the accreditation process is post-placement monitoring but NOT post-placement counseling. Areas of service like post-placement counseling and pre-adoptive parent training courses are not required to be accredited. This leaves these key services in a no-man's land of being provided but without oversight as to quality of service. This is a potential loophole for the unscrupulous. "Many agencies in the business of INA offer little to no post-placement counseling services, particularly for older adoptees."
14. The assessment of prospective adoptive families should include, in addition to what is now done, an evaluation of their understanding of adoption as a lifelong set of issues surrounding loss of birthparents and connection with country/culture of origin, ability to talk about race and willingness to live in a place where their INA child will not be racially isolated
15. Adoption agencies should be mandated to provide low-cost post-adoption services to families and adult adoptees as well as having information about local service providers with expertise in these areas (This is critical for INA families who live a distance from the placing agency and for adult adoptees who may live away from areas they grew up in.)
16. Adult adoptees often face difficulties and expenses in obtaining copies of their records from adoption agencies. It is imperative that local agencies make the information they have about an INA adult adoptee available to them at no cost (or at perhaps a sliding scale of cost) so that young adults who ask for their own records are not blocked from obtaining this basic, most personal information. Information gathered from placing agencies in birth countries should be made available at minimal cost.

17. It is an unethical risk for a placing agency to make a referral and placement of a child into a home when they have not met either the child or the family but are working with paper documentation from third parties. This occurs all too often. Without such 'face' contact, it's difficult for the agency to know what types of training or support services this family will benefit from.
18. There is no current cap for the fees adoption agencies charge and some increase fees during the adoption process. Additionally the costs of in-country adoptions and out-of country adoptions are often very different, placing an incentive on the arrangers of international adoptions to adopt children internationally as the fees are higher. The regulations should make a clear statement recognizing that in-country adoption is in the best interests of the child. In addition, there should be a requirement for comparable fees of in- and out-of country adoptions which would reflect this preference.
19. The adoption of older children is significantly different than the adoption of babies and young toddlers. Sometimes, it is not in the best interest of an older child to be adopted away from his/her birth culture or birth country. These children, when adoption is being considered, should be carefully assessed to determine what is in the child's best interest. If there are alternative, permanent placements that will offer a hopeful future, than an in-country placement should be pursued that includes small group living such as the S.O.S. Children's Villages as well as placement in an individual adoptive family. We would like to see adoption agencies pay close attention to what some of the good alternatives in each sending country would be and make that information known to PAP's and all person's interested. Sometimes, the barriers of language, culture, social, emotional, educational, and racial difference are more than an older child can successfully surmount.
20. Follow up information over the course of at least two or three decades after placement would provide the adoption community a more accurate picture of what works and what does not. Not all families are able to care for any child placed with them. Documentation of the post-placement period is critical to better understand our international adoption policies, procedures and regulations. Adoptions (and placements for adoption) that are disrupted or dissolved must be reported by all adoption agencies.
21. As there are currently many, many adult INA's who are founding their own effective supportive organizations, we would like to see a portion of the fees of every International Adoption be set aside, perhaps in Escrow, until such time these organizations can go through some sort of an accrediting process in order to receive monies for their continuing efforts in supporting those who have been transracially and/or internationally adopted in the manner that would be most helpful to the adult INA's. This is something that we would like to see happen in the very, very near future.

22. We respectfully request and encourage that all INA organizations and entities include as many adult INA's on their boards, etc. as possible. Their voices NEED to be heard if we are going to continue to learn more and more about their needs and INA in general. They have been neglected for far too long.

23. We support the Hague Convention's recognition that the best interest of a child is to remain in his or her birth country. International Adoption should be considered only after it has been determined that no prospective adoptive family within the birth country or culture is available. Adoption agencies should be prohibited from placing children who are US citizens for International Adoption when there are potential adoptive families in the USA who could adopt them.

We hope that these 23 major comments will provide you with a sense of what our concerns are about International Adoption in the United States as well the proposed regulations. We believe these new policies and rules have the potential to make a very positive impact on the INA process. With accreditation, standards of practice and minimum guidelines we hope, like you, that adoptions from other countries will improve and that the children served will benefit.

We appreciate the opportunity to be part of this process and would invite you to contact any or all of the people listed below for further discussion and details of our concerns.

Sincerely yours,

6 Adult International Adoptees

24 Adoptive Parents of teens and adults adopted internationally

45 Adoptive Parents of children under age 10 adopted internationally

Amy L. Mesojedec

amylmesojedec@yahoo.com

Minneapolis, MN USA

Adopted from Korea at 18 mos. in 1976.

Now a paralegal in Intellectual Property

Angel Murakami

a.murakami@comcast.net

7335 Woodward Avenue #114

Woodridge, IL 60517

Adopted in Korea by Korean family at age 1 month in 1972, family moved to USA in 1973

BA in telecommunications

Cheri Register

chereg@aol.com

4226 Washburn Ave. S.

Minneapolis, MN 55410

Adoptive mother with two adult daughters from Korea.

Author, Are Those Kids Yours? American Families with Children Adopted from Other Countries.

Cheryl and Bruce Duysen

cheryl@duysen.org

325 Persiaran Ritchie Unit C-2

55000 Kuala Lumpur, Malaysia

US citizens & adoptive parents to sons aged 13 from Romania and aged 11 from Korea

Environmental chemist and telecommunications manager

Cynthia Goldberg, M.Ed.

hgpig@dcn.org

711 Bianco Court

Davis, CA 95616

Adoptive parent of a 15 year old born in Korea,

Active in local Korean American community and adoption community, vocational counselor

Dave and Kathy Zdon

zdon@isd.net

12160 Ilex Street NW

Coon Rapids, MN 55448

763-755-9159

Parents to son, age 22; son, domestically adopted at birth, age 8; and daughter, adopted from Korea at 6 months, age 6.

Film and video producer: SAHM

Ms Indigo A. Williams

indigo.a.williams@uts.edu.au

93/289 Sussex St, Sydney NSW 2000 Australia

Post-Grad. Research Candidate

Faculty of Humanities & Social Sciences, UTS

2003 Rockefeller Fellow/Project Diaspora, UMASS, Boston

Adopted from Saigon, Vietnam 1972 to Sydney, Australia

Founder AVI - www.adoptedvietnamese.org

Jane A. Brown, M.S.W.

janebrown77@earthlink.net

10926 North 128th Place

Scottsdale, Arizona 85259

(480) 451-9831

Adoptive parent to now-grown, internationally-adopted sons and daughters;

Adoption educator/social worker

Julie Blackburn
1276 Starlite Drive
Milpitas, Calif. 95035

blackburnj@worldnet.att.net

Adoptive parent to daughter age 10 from China and
Biological parent to daughters age 8 and 6 and son age 6
IT business solutions project manager

Kathryn and Larry Kaatz
209 Penn Ave. South
Minneapolis MN 55405

kkaatz@blakeschool.org

Adoptive parents to 11yo son born in Korea and bio daughter age 10
Early Childhood Educator, Kindergarten teacher & Purchasing Manager product wholesaler

Kathleen L. Sullivan-Spedding
585 Foote Road
Cheboygan, Michigan 49721
231-627-5263

kick@straitsarea.com

Adoptive mother to now 31 yo son born in India
B.S. Human Services; Retired Alcoholism/Drug Abuse Therapist

Kim (Eun-Mi) Young-Jackson
5003 Village Way
San Antonio, TX 78218
Korean adoptee, 1960

eunmi38@yahoo.com

Kristi L. Carney
202-C Berringer Drive
Aiken, SC 29803
803-644-9447

kristi76@peoplepc.com

Adoptee from South Korea, 27 years old, Seoul, South Korea (country of birth), 1
biological child
Special Education Teacher, Bachelor's of Science Degree, Paralegal Degree, and will have
Master's Degree in Education in February '04.

Letitia Rickards
1100 Cornell Avenue
Drexel Hill, PA 19026
610-449-6538

brickards@gis.net

Mom to a marvelous 17 yr. old KAD (Korean Adoptee)

Lynne C. Lucas
1820 Tabor St.
Eugene, OR 97401

l.lucas@earthlink.net

Mother to 11 year old daughter adopted from China in 1992
Professional educator and consulting teacher

Mrs. Mary Brooks Tilghman & Mr. Richard A Tilghman Jr.
587 Carter St.
N. Canaan, CT 06849
203-972-1107

Mbtilly@aol.com

Adoptive parents of daughter from Korea now aged 17
Creator of " You Crib or Mine?" services for newborns and municipal finance executive

Michael and Cecily McSurdy
3002 Overlook Drive
Nashville, Tennessee 37212
615-463-3120

Parents to a 2 year old, adopted as infant from Vietnam and to a 23 year old, who joined our family at 17 via state foster care
Director of Foster Care, State of Tennessee & Business Manager, Vanderbilt Univ. Press

Ms. Sara Joslyn and Dr. Paul Albert (sjoslyn@comcast.net)
15158 Callohan Court
Silver Spring, MD 20906
Adoptive parents to an 11-year-old INA from Korea
Technical editor and biostatistician

Sarah O'Neill
145 Hanlon Road
Holliston, MA 01746
Adopted in 1980 from South Korea

spacebutterfly03@yahoo.com

Sherry Steeves & André Boey
3810 West Sandgate Rd
Sandgate, VT 05250
(802) 375-6847

Adoptive parent 4 year old internationally adopted & 3 bios, ages 19, 16, 15
Illustrator/stayhome mom & DAM/Production Mgr/Mac Guru

Susan E.M. Hall
178 Hardacre Dr.
Xenia, OH 45385
937-376-4559

shall.@mailserv.gcpl.lib.oh.us

Mom to three teens. My 18 year old is a birth child. My 16 year old is, adopted from Korea as an infant. My youngest son, 14, adopted from Vietnam at 8.

Toby Volkman, Ph.D.
311 1/2 West 20th St.
NY NY 10011
tv10@nyu.edu

toby.volkman@nyu.edu

Mother to one daughter, aged 9, from China adopted at 7 months
Cultural anthropologist who writes about transnational adoption

Thomas J. Spedding
The Procter and Gamble Co.
2 Procter & Gamble Plaza
TN-4 Box 13

spedding.tj@pg.com

Cincinnati, Ohio 45202-3314
Adoptive father to now 31 yo son born in India

The following people are adoptive parents of younger children who share our views:

Dr. Arabella Lyon
20 Willowbrook Drive
Williamsville NY 14221

alyon@buffalo.edu

Mother to two children, ages 7 and 2, adopted from China
Professor

Audrey and David Pancoe
8334 Cedar Road
Elkins Park, PA 19027

Audrey.Pancoe@jevs.org

Adoptive parents to daughter from China in 2001, 3 yrs old (now)
Accounting Manager

Bob McMahon
5651 Phelps Luck Drive
Columbia MD 21045
410-997-3506

mcmahon5@erols.com

Father to daughter; age 8, adopted from China in 1997
Statistician, Associate Professor

Bruce and Janelle Craig
4152 Archwood Drive
Holt MI 48842
517-699-4140

Parents to two bio children - 20 & 17, one adopted child 2 1/2 from China
Social Worker (Bruce) and Sr. Associate, Sales & Accounts (Janelle)

Dr. Cathy Donovan
40567 Hwy 169
Onamia, MN 56359

cathydonovan@yahoo.com

Mother to a 9 yo adopted from China at the age of 6 1/2,
Family Physician

Carol and Scott Brookhart
3303 Skylark Dr.
Austin, TX 78757

cfbrook@hotmail.com

Adoptive parents to a daughter, 7, born in China and a son, 5, born in Cambodia
Software developer and middle school counselor

Cheryl and David Dieter
825 Timbercrest Drive
Council Bluffs, Iowa 51503

clddb007@yahoo.com

Bio parents to children (19) and (12). Adoptive parents to children (25 mo.) and (18 mo.)
from Korea

Chris & Rick Carter
Colorado Springs, Colorado

rcrcarter@msn.com

Adoptive parents to one internationally adopted child
Teacher & business owner; International program director

Christopher and Stephanie Reid
1517 Lamonte Lane
Houston, TX 77108

lucky_mom@att.net

Adoptive parents to two daughters from China, aged 5 and 2
Senior litigation supervisor (insurance); paralegal (litigation)

Debbie Carr-Taylor
11808 Beacon Hill Dr.
Plymouth, MI 48170

carrd@pilot.msu.edu

Mother to 1 child from China, a. at 7 months, currently 4.5 years old
Research social scientist

Dulce Calabia and Jack Machado
P.O.Box 2284
Montgomery Village, MD 20886-2284
301-216-1571
Adoptive parents of twins, 2.5 years old from China.
Accountant & Analyst

Elisabeth Cavalli
4225 S. Bateman St.
Seattle, WA 98118
(206) 760-9672
Parent to 1 child from China
Voter, Taxpayer, Sales Professional

doublehappi@yahoo.com

Eva & David Atkinson
516 West 7th St.
Owensboro KY 42301
Adoptive parents to international adoptee, (age 4, adopted June 2000) from Xiangtan, Hunan, China and (age 2.5, adopted Feb. 2003) from Changsha, Hunan, China
Mental health counselor and college instructor; business owner.

evaa@omuonline.net

James and Regina Finley
111 North Brown Street
Gloucester, NJ 08030
Adoptive parents to children age 5 and age 2, both from Korea
Police Officer and High School Guidance Counselor

GinaG818@aol.com

Jenny and Bob Fox
2317 Canterbury Rd.
University Heights, OH 44118
Parents to 3 children by birth and a 7-yr-old and 3-yr-old born in Korea
Computer professionals with degrees in Chemistry in computer and info sciences

UHFoxes@ameritech.net.

Dr. Jessica Gerard
4349 E. Kensington St
Springfield, MO 65809
Adoptive parent to child, aged 8 from China
Community college instructor and adoption support group president

Jgerard95@aol.com

Julie S. Higginbotham

urghiggi@YAHOO.COM

5142 N Lowell Ave.

Chicago, IL 60630

Adoptive parent to daughters aged 7 from China and aged 5 from Thailand

Magazine editor

Kimberli K. and Ben A. Wilson

bw68@yahoo.com

424 Williams Avenue South

Renton WA 98055

Adoptive parents to two daughters aged 3 and 6, both from India

Adoption Professional; Software Engineer

Melinda and Ralph Dawley

madawley@yahoo.com

1037 SE Wingate Court

Lee's Summit, MO 64081

816-246-0849

Parents to a 5 year old adopted at 1 year of age, and a 5 year old adopted at 3 1/2 years of age from China

Patricia Chadwick & Stephen Dias

pchadwick@internews.org

1424 D Street

Eureka, CA 95501

Adoptive parents to daughter, age 6 from China and dossier in China for older, disabled child

Webmaster and stay-at-home dad

Pierre and Terri Veragen

veragen1@comcast.net

60 Zephyr Street

Lakewood, CO 80226

Adoptive parents to a son age 5 and a daughter age 4 from Korea

Computer analyst and former ESL teacher

Richard and Tracy Janecek

jnck@southslope.com

1604 Deborah Drive, NE

Solon, IA 52333

319-841-8691

Adoptive parents to children, age 5 yrs, home from India at age 19 months

Technical Service Engineer; Senior Radiation Therapist University of Iowa

Ron and Karin Gillett, MBA
534 Pauma Valley Ct.
Melbourne, FL 32940

karin.jg@cfl.rr.com

Parents to two daughters adopted in China 6/97 and 6/99.

Sue and Rich Cairn
3715 45th Avenue South
Minneapolis, MN 55406

scairn@ties.k12.mn.us

Parents to children age 5 and age 3, adopted from Korea.
Self-employed consultants working in education and policy

Tina and Phil Wuorinen
9038 Fontainebleau
Cincinnati, OH 45231
PhilTinaW@juno.com

philtinaw@juno.com

Adoptive parents of two children who were born in Korea, now 4 1/2 and 2 years old.
Computer programmer/analyst and registered nurse and youth director

Usha Rengachary Smerdon, Esq. and Edward Smerdon
3 Laconheath Avenue
Novato, CA 94949
Adoptive parents to a young child born in India
Attorney

DaziChain@aol.com